

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1603 Session of 2013

INTRODUCED BY CHRISTIANA, CUTLER, HELM, AUMENT, MUSTIO, KILLION, BURNS, D. COSTA, HARKINS, KOTIK, RAVENSTAHL, GIBBONS, BENNINGHOFF, R. MILLER, SWANGER, O'BRIEN, HICKERNELL, MAHER, HARHAI, GODSHALL, GILLEN, COHEN, MARSHALL, HACKETT, SABATINA, BRIGGS, WATERS, MATZIE, DeLUCA, MULLERY, MENTZER, SCAVELLO, SONNEY, SIMMONS, KORTZ, O'NEILL, GILLESPIE, GINGRICH, DERMODY, TURZAI, HANNA, P. DALEY, ADOLPH, GROVE, STURLA, J. HARRIS, KIRKLAND, BISHOP, KULA, M. DALEY, QUINN, MICOZZIE, MILLARD, STEVENSON AND SCHLOSSBERG, JULY 1, 2013

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, JULY 1, 2013

AN ACT

1 Amending the act of December 20, 1985 (P.L.457, No.112),
 2 entitled "An act relating to the right to practice medicine
 3 and surgery and the right to practice medically related acts;
 4 reestablishing the State Board of Medical Education and
 5 Licensure as the State Board of Medicine and providing for
 6 its composition, powers and duties; providing for the
 7 issuance of licenses and certificates and the suspension and
 8 revocation of licenses and certificates; providing penalties;
 9 and making repeals," providing for the provision of
 10 anesthesia care in certain settings; and conferring powers
 11 and imposing duties on the Department of Health.

12 The General Assembly of the Commonwealth of Pennsylvania
 13 hereby enacts as follows:

14 Section 1. Section 2 of the act of December 20, 1985
 15 (P.L.457, No.112), known as the Medical Practice Act of 1985, is
 16 amended by adding a definition to read:

17 Section 2. Definitions.

18 The following words and phrases when used in this act shall
 19 have the meanings given to them in this section unless the

1 context clearly indicates otherwise:

2 * * *

3 "Anesthesiologist." A physician who has successfully
4 completed an approved residency training program in the medical
5 specialty of anesthesiology.

6 * * *

7 Section 2. The act is amended by adding a section to read:

8 Section 45.1. Provision and supervision of anesthesia care.

9 (a) General rule.--Anesthesia care in a hospital may be
10 provided only by any of the following:

11 (1) An anesthesiologist.

12 (2) A physician who is not an anesthesiologist and who
13 is privileged by a hospital to provide anesthesia care upon
14 finding that the physician can provide all of the following:

15 (i) The services and procedures commonly employed to
16 render a patient insensible to pain for the performance
17 of surgical, obstetrical or other necessary clinical
18 procedures.

19 (ii) Support of life functions during the period of
20 anesthesia.

21 (iii) Advanced cardiac life support.

22 (iv) Appropriate preanesthesia and postanesthesia
23 management for the patient.

24 (v) Consultation regarding anesthesiology-related
25 patient care, such as inhalation therapy, emergency
26 cardiopulmonary resuscitation and special problems in
27 post-surgical pain relief, unless these responsibilities
28 are assigned to another physician who is judged by
29 medical staff peer evaluation to be specially well
30 qualified and who is willing and able to assume the

1 responsibilities.

2 (3) A physician enrolled in a residency program in
3 anesthesia or oral surgery.

4 (4) A nurse anesthetist authorized by the State Board of
5 Nursing to provide anesthesia care and who is under the
6 supervision of either or the following:

7 (i) An individual under paragraph (1) or (2), who is
8 immediately available when needed.

9 (ii) The operating surgeon.

10 (b) Students.--A student enrolled in an educational program
11 at a school accredited by the Council on Accreditation of
12 Educational Programs of Nurse Anesthetist of the American
13 Association of Nurse Anesthetist, as approved by the State Board
14 of Nursing, may provide supervised anesthesia care if the care
15 complies with regulations relating to patient safety promulgated
16 by the Department of Health.

17 (c) Effect on unrestricted permits.--Nothing in this section
18 shall affect the ability of a dentist anesthetist or of an oral
19 surgeon who has received an unrestricted permit from the State
20 Board of Dentistry authorizing the dentist anesthetist or oral
21 surgeon to administer general anesthesia and deep sedation and
22 who is performing the surgery for which the anesthesia is being
23 provided to provide anesthesia care.

24 (d) Delegation.--Nothing in this section shall restrict the
25 authority of a physician to delegate the performance of
26 anesthesia services, subject to the criteria and requirements as
27 under section 17 of this act, provided the provision of
28 anesthesia services is supervised by either of the following:

29 (1) An individual under subsection (a) (1) or (2) who is
30 immediately available when needed.

1 (2) The operating surgeon.

2 (e) Regulations.--The Department of Health shall promulgate
3 regulations to implement the provisions of this section.

4 Section 3. This act shall take effect in 60 days.